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RUEHVEN/USMISSION USOSCE PRIORITY

C O N F I D E N T I A L USNATO 000004

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E.O. 12958: DECL: 01/05/2019  
TAGS: [KCFE](#) [PARM](#) [PREL](#) [NATO](#)  
SUBJECT: DECEMBER 17-18 MEETING OF VCC EXPERTS

REF: A. A. STATE 132758  
[1](#)B. B. CSB-RS-08-0149-F041  
[1](#)C. C. AC/319-N(2008)0017-REV1

Classified By: A/DCM Walter Andrusyszyn for reasons 1.4(B)&(D).

[1](#)1. (C/REL NATO) Summary: During meetings of Experts on 17 and 18 December, Allies de-conflicted the 2009 Vienna Document 99 Verification Schedule. In addition, the U.S. secured CFE quota inspections to Armenia and Ukraine, a Flank inspection to Ukraine and two Additional Paid inspections to Ukraine for the Treaty year beginning in March 2009. Should Russia return to full implementation of the CFE Treaty, the U.S. has secured two unrestricted Quota Inspections, eight Flank Inspections and eight Flank Supplemental Inspections in the Russian Federation. The U.S. has also secured two more Additional Paid Inspections to Ukraine for the current Treaty year.

[1](#)2. (C/REL NATO) All Allies attended the U.S.-led meeting on Mine Resistant Ambush Protected (MRAP) vehicles and seemed to welcome the U.S. initiative. Most Allies argued that a decision on whether to declare MRAPs under VD 99, CFE and/or GEMI should be made based on a vehicle's capability (ability to hold a squad and travel cross country, etc.) not its intended use. In the minority, Belgium noted that it had not declared its Dingo 2, in part, because it intended to use them only for peace support operations. France cautioned Allies not to undermine standing Allied positions when deciding whether to declare MRAPs.

[1](#)3. (C/REL CZ) The Czech Republic's verification agency approached USDel informally to initiate discussion on potential implementation issues arising from future Russian Federation verification activities conducted in the vicinity of the planned U.S. Ballistic Missile Defense radar site. The Czech side outlined potential verification issues and expressed the need for both sides' verification agencies to conduct additional consultations in the future.

[1](#)4. (SBU) Experts agreed that further discussion on Russia's new visa regime as notified in REF B should be held in Vienna. Experts also agreed that discussion on Russia's proposal to set concrete parameters for a Specified Area should remain in Vienna. Experts will return to the five remaining AIAM discussion papers and modalities for deploying those papers at the AIAM at the next meeting of Experts in January. Guidance requested in para 28. End Summary.

Vienna Document (VD) 99 Verification Activity Deconfliction  
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[1](#)5. (SBU) Experts opened their meeting on 17 December by deconflicting the 2009 VD 99 verification activities schedule. As was the case for 2008, the 2009 deconflicted

schedule mitigates Allies' tendency to concentrate verification activities in the first two or three months of the year. Most Allies seemed satisfied with the distribution of activities despite the fact that the majority of inspections and evaluations will fall between January and August. Norway, however, noted that in some cases Allies had scheduled two or more activities on sequential weeks to the same country. Norway cautioned Allies to distribute their activities more evenly so as not to overburden countries with smaller verification centers (Armenia for example). In response to Norway's comments, two Allies decided to adjust their plans to avoid such concentrations.

#### CFE Allocations for the Treaty Year Beginning March 2009

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¶6. (C/REL NATO) The U.S. has secured the following CFE inspection allocations for the Treaty year beginning March 2009:

-- For inspections of States Parties other than the Russian Federation:

- 1 to Armenia
- 1 to Ukraine
- 1 Flank inspection in Ukraine
- 2 Additional Paid Inspections in Ukraine

-- For inspections of the Russian Federation

- 2 Unrestricted Quota Inspections
- 8 Flank Inspections
- 8 Flank Supplemental Inspections

(Note: Per REF A, USDel bid for all remaining inspection quotas following Allies' bidding. After securing the remaining six unallocated Flank and Flank Supplemental Inspections for Russia, USDel noted that, the U.S. would, at Allies request, be open to consultation on the execution of these inspections should circumstances change (i.e. should Russia return to full implementation.) End Note.)

¶7. (C/REL NATO) The U.S. also secured two more Additional Paid Inspections in Ukraine for the current Treaty year.

¶8. (SBU) Following the bidding process, the IS requested Allies to begin deconflicting the CFE inspection schedule. Approximately half of Allies provided preliminary dates for their activities. The IS intends to conclude the deconfliction process at the January meeting. Mission requests proposed dates for U.S. CFE inspections.

#### U.S. Meeting on MRAP Vehicles

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¶9. (C/REL NATO) After the VCC Experts Meeting, the USDel (Meyer) chaired an informal working group to discuss the arms control implications of fielding mine-resistant, ambush-protected (MRAP) vehicles in the CFE Area of Application. USDel Member Alberque (OSD-ATL) delivered the cleared talking points (REF A) to the informal working group, and provided support to answer questions and conduct bilateral discussions after the presentation.

¶10. (C/REL NATO) In response to the U.S. presentation, the UK representative stated that they have already declared the Cougar HE (UK nomenclature: Mastiff) as an armored personnel carrier under the CFE and VD99. France noted that reliance on squad size alone to exclude vehicles from the armored combat vehicle definitions could have a negative impact on NATO equities, such as counting the BRM-1K. USDel replied that the MRAP is not a pre-existing type in the POET, while the BRM-1K is a modified version of the BMP-1.

¶11. (C/REL NATO) The Belgian representative indicated that Belgium has not declared the Dingo 2 vehicle in CFE, VD 99 or GEMI since it is intended to support peace operations, not offensive actions. The Czech delegate supported the Belgian decision, but noted that the Dingo does not carry a full squad. The Czech Republic said it had consulted with Germany and Belgium before concluding that the Dingo is not

reportable. The Czech decision was based on the fact that the Dingo 2 does not carry a squad, it is not tracked and therefore not a combat vehicle, it is not in the mainstream of their conventional armed forces but instead is only meant for one mission, and it is deployed outside the AoA/ZoA.

¶12. (C/REL NATO) The French representative declared that they will not count their new MRAP-like vehicle, the PVP, in conventional arms control. The Spanish representative indicated that Spain plans to declare their RG-31E (Category II MRAP with expanded interior to carry a full squad) in the summer of 2009. The Netherlands representative said they declared their Bushmaster MRAP-like vehicle as an APC under CFE and VD 99, though there are only small numbers in the AoA. Canada had no information about their previous declaration of the RG-31 MRAP vehicle as an APC under GEMI, but stated unequivocally that vehicle capabilities, not doctrine, should drive declarations. Italy supported this statement, adding that they object when Russia attempts to declare APCs as ambulances when they clearly are not. The German representative told the group that they submitted an F00 to declare their MRAP-like vehicles entering service, but would not be declared them as treaty limited equipment and encouraged other nations to do the same. The U.S. (Meyer) noted satisfaction with the discussion and resolved to continue the dialogue with Allies as needed in the future.

¶13. (C/REL NATO) In a bilateral discussion afterwards, the Alberque spoke with the UK representative about the reasons behind their declaration of the Cougar HE as an APC under CFE. The UK representative reminded that, lacking a definition of cross-country capability, and considering the previous UK declaration of the Saxon as an APC, there was no logical or legal argument to exclude the Cougar HE from categorization as an APC. The two determined that further dialog is warranted.

#### Informal BMD Conversation with Czech Republic

¶14. (C/REL CZ) Following the formal session of the meeting of Experts on 17 December, COL Gabriel Kovacs of the Czech Arms Control Department (ACA) approached USDel members Wright (DTRA-OSAE) and Shepherd (DTRA-OSEJ) with a request to informally discuss the CSBM and CFE implementation modalities associated with negotiated site of the U.S. Ballistic Missile Defense (BMD) radar located on the territory of the Czech republic. COL Kovacs noted he had been given permission by the government of the Czech Republic to initiate discussions between verification agencies within the parameters of current arms control treaties and agreements; namely CFE, VD 99 and Open Skies. COL Kovacs also noted the need for additional consultations once the political negotiations on U.S.-Czech-Russian verification of the BMD site were concluded.

¶15. (C/REL CZ) During the ensuing discussion it was postulated that, in accordance with standard practices established for current treaties and CSBMs, DTRA would need to deploy liaison teams to support the Czech Verification Agency (ACA) whenever the Czech Republic anticipated a verification activity in the region of the Czech Republic hosting the U.S. BMD site. The future BMD radar is to be located on a small facility at the southwest corner of the Brdy Military Training Area, an associated training area to a declared site, Jince, Czech OOV number 4, for the 132nd Artillery Battalion. The declared site and associated territory, minus the radar site, will exceed 20 square kilometers and will, therefore, be subject to helicopter over flight during CFE inspections. The BMD radar site will have a distinct perimeter with a cleared ground security zone of 500 meters and an aerial no-fly security zone of 4.5 kilometers. This no-fly zone will preclude direct over flights of the radar site under CFE and Vienna Document. COL Kovacs commented that he would expect the site would shut down during Open Skies over flights. As such, ACA has offered to provide DTRA-OSE operations center with Open Skies flight plans so that the U.S. will have advance warning of

when and from where an Open Skies mission would approach the radar site.

#### Impact of Russia's New Visa Regime on Verification Activities

¶16. (SBU) Experts severely criticized Russia's changes to their visa procedures as notified in REF B. Turkey opened the salvo by characterizing Russia's notification as a "new challenge in the wake of Russia's CFE suspension" and warned that Russia was attempting to "limit the spirit of VD 99." According to the Turkish delegation, the issue has been forwarded to the Turkish MFA and the Turkish delegation in Vienna. Turkey claimed it would reciprocate should Russia actually enforce its new policy. The United Kingdom and Norway added support for Turkey's position.

¶17. (SBU) Taking an even harder line, Canada argued that Russia's new visa regime will prevent participating States from conducting activities under the provision of paragraphs 85 and 112 of VD 99. Canada maintained that under the new procedures, Canada would have to follow standard procedures and submit a visa request for its team, including arrival data and itinerary, to the Russian Federation ten prior to arrival in Russia if it wanted to execute its right to select a preferred POE other than Moscow, St. Petersburg and Kaliningrad. (Note. Russia's Paragraphs 85 states that an inspection request "will be submitted at least 36 hours, but no more than five days, prior to the estimated entry into the territory of the receiving state." Para 112 sets similar timeline for evaluations requests at "not later than five, but not earlier than seven days, prior to entry into the territory of the receiving state." End Note.)

¶18. (SBU) Italy chimed in with support, but refused to go as far as accusing Russia of non-compliance. Belgium added that Russia's notification also restricts entry to airports only, thus limiting participating States to air transportation only. France proposed that the discussion be taken to Vienna where Allies can coordinate a more effect response by enlisting non-Alliance partners.

¶19. (SBU) USDel delivered points per REF A, and supported France's call for discussions to continue in Vienna. USDel opined that Allied conclusions (Russia may be attempting to limit the spirit of VD 99, Russia has violated the provisions of VD 99, etc.) seem based solely on Allied perceptions of Russia's policy as noted in the F-41. Any discussion should, therefore, begin with a request for Russia to clarify its position and intentions.

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¶20. (SBU) The discussion ended with a consensus that Allies should raise the visa issue in Vienna as soon as possible. (Note. Despite this strong agreement, no Ally, to include the UK, who's delegation in Vienna had already attempted to coordinate an Allied statement, commented on the specifics of the next steps or volunteered to take the lead. End Note.)

#### Implementation Coordination

¶21. (SBU) Experts have reached tentative consensus on the IS working paper on Implementation Coordination (AC/319-WP(2008)0009-Rev5). Experts agreed that, on a trial basis for 2009, Allies would adopt procedures as stated in option two of paragraph 8. Under this formulation, if a non-Allied pS notifies their intent to inspect or evaluate a given country ahead of a scheduled Ally, the first Ally scheduled for a like activity to that country following a four-week period will forfeit its assigned allocation. (Note. This procedure is meant to eliminate any advantage an Ally might find in rushing to be the first to inspect or evaluate any given country. The four-week grace period, which begins on the date of transmission of the non-Allied notification, is intended to protect an Ally already having committed resources for a planned activity at the time a non-Ally transmits its notification. End Note.) While

agreeing to the process in principle, Belgium noted it would have to consult with capital on the length of the grace period before joining consensus. With Belgium's concurrence, Allies can expect to reach consensus on this paper at the next Experts meeting January.

#### AIAM Discussion Papers - - - - -

¶22. (SBU) Experts made additional minor changes to AIAM papers on Size of Evaluation and Inspection Teams and Use of Digital Cameras and GPS and the IS will issue new revisions for consideration. France and Belgium supported U.S. comments on the Definition of Defense and other Installations resulting in this paper being withdrawn. Of the 15 issues listed in REF C Annex 1, only five remain candidates for inclusion in the AIAM with Alliance support. These include:

- Briefings by Military Commanders;
- Use of Digital Cameras and GPS;
- Inspection/Evaluation Quota System;
- Size of Inspection and Evaluation Teams; and
- Common Understanding of Force

¶23. (SBU) USDel deployed points per REF A on Russia's proposal to set concrete limits on the size of a specified area. Norway and France strongly supported the U.S. position in opposition to limits. The United Kingdom, speaking in the minority, commented that it could accept limits since the time allowed for an inspection places practical limitations on inspectors. In the end, Experts agreed that discussion of should remain in Vienna.

#### Deploying AIAM Papers - - - - -

¶24. (C) USDel opened discussion on how to deploy coordinated discussion papers at the AIAM by presenting the U.S. position per REF A. While Allies welcomed a discussion to consider a common approach, they did not support the U.S. view that Allies should refrain from issuing the papers until the AIAM.

The U.S. contention that laying out Alliance positions in total would suppress discussion was refuted by the UK, Canada, Italy and Belgium. They claimed that withholding papers from AIAM participants would hamstring delegates by preventing them from consulting with capitals. Canada urged Allies to issue papers no less than a month in advance in order to give capitals time to digest the material and send instructions to Vienna. USDel noted that, should Allies agree to issue papers, Allies should limit the initial papers to a description of the problem, and avoid proposing solutions. (Note. Based on the results of this discussion, it seems apparent that more consultation is needed. While some Allies seemed to understand the importance of coordinating Alliance actions, others were more concerned on whether they would need to modify papers as presented in REF ¶B. End Note.)

#### Western Boundary of the VD 99 Zone of Application - - - - -

¶25. (SBU) USDel opened discussion on the Zone of Application by deploying points per REF A. After a brief discussion, Experts agreed that Allies should consider the western boundary of VD 99's Zone of Application for the Russian Federation to be identical to the definition of the Area of Application for Russia found in the CFE Treaty.

#### December 18 VCC - - - - -

¶26. (SBU) The abbreviated 18 December VCC was pro forma for the most part, with the VCC Chair (Miggins) and Allies reporting on VD 99, CFE and Open Skies verification activities. In addition, Allies discussed the deadline for completion of verification activities in Albania and Croatia in the run up to their membership in NATO. Based on past experience, the Miggins predicted that Croatia and Albania

would announce their memberships no later than 5 April, following the NATO Summit. Miggins cautioned Allies to take this into consideration when planning verification activities for 2009.

¶27. (C/REL NATO) Miggins also reported that there would be a reinforced NAC on 3 February to discuss "Raising the Profile of Arms Control." According to the Chair, the NATO Secretary General would like a statement for the summit in April, and that such a statement would likely require consensus in several committees and in the VCC.

¶28. (SBU) Finally, Miggins announced that Experts would meet from 3-4 February, ahead of the planned 5 Feb VCC and Experts, to consider CFE data and discuss outstanding CFE implementation issues. Miggins asked nations to consider whether outstanding issues should be forwarded to the JCG-T in Vienna. Mission requests guidance for this meeting.  
VOLKER